

## 2007 DRAFTING REQUEST

### Assembly Amendment (AA-SSA1-SB40)

Received: 06/26/2007

Received By: mkunkel

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Olin (FA)

This file may be shown to any legislator: NO

Drafter: mkunkel

May Contact:

Addl. Drafters:

Subject: Public Util. - energy

Extra Copies:

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

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#### Pre Topic:

LFB:.....Olin (FA) -

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#### Topic:

Public Service Commission duties regarding storage of nuclear waste

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#### Instructions:

See Attached

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#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 06/26/2007	kfollett 06/26/2007					
/1			rschluet 06/26/2007		lparisi 06/26/2007		

FE Sent For:

<END>

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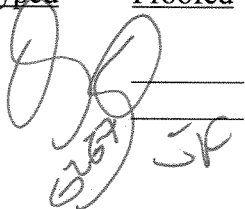
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/?	mkunkel	11/5f 6/26					

FE Sent For:

<END>

2007

Date (time)  
needed \_\_\_\_\_

LRB b 0687, 1

**BUDGET SUPERAMENDMENT  
[FOR SENATE SUPER]**

MDIT: EGF+WLJ

See form **AMENDMENTS — COMPONENTS & ITEMS.**

*Assembly*  
**SENATE AMENDMENT  
TO SENATE SUBSTITUTE AMENDMENT 1  
TO 2007 SENATE BILL 40**

>>FOR SENATE DEMOCRATIC SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

*1279*  
#. Page . . . . , line *20* *after that line insert:*

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

**ASSEMBLY BILL 348**

stats., which establishes a number of duties of the Public Service Commission (PSC) with regard to the long-term disposal of high-level radioactive waste. Section 196.497 was initially enacted in response to investigations of northern Wisconsin as a potential site for a nuclear waste repository, but the wording of the statute is broader than that limited context.

The bill expands the duties of the PSC under s. 196.497 to also advocate on matters relating to the centralized interim storage of high-level radioactive waste and transuranic waste and any license application submitted to the Nuclear Regulatory Commission for a license to operate a federal repository for the long-term disposal of these wastes. The bill specifies alternative forms of participation that the PSC's advocacy may take.

The bill clarifies that the radioactive wastes addressed in s. 196.497 (3) are limited to "high-level radioactive waste," making the applicability of this subsection consistent with the applicability of other provisions in s. 196.497.

Current s. 196.497 (14) requires state agencies to cooperate with the PSC in fulfilling its duties under s. 196.497. The bill requires owners and operators of nuclear power plants to assist the PSC and provide data or other information required by the PSC in fulfilling its duties under this section.

✓ SECTION 1. 196.497 (3) of the statutes is renumbered 196.497 (3) (a) and amended to read: 2933rf

196.497 (3) (a) The commission shall serve as an advocate on behalf of the citizens of this state before the federal department of energy and other federal agencies on matters related to the centralized interim storage or long-term disposal of high-level radioactive waste and transuranic waste, including any license application submitted to the nuclear regulatory commission for a license to operate a federal repository for the long-term disposal of high-level radioactive waste and transuranic waste. 2933rf

SECTION 2. 196.497 (3) (b) of the statutes is created to read:

196.497 (3) (b) The commission's advocacy under par. (a) may take the form of participation under s. 196.02 (12), a request to the attorney general to intervene under sub. (7), participation in the intervention or advocacy of other states or of an interstate organization, or any other form of advocacy the commission determines is appropriate.

## ASSEMBLY BILL 348

NOTE: Section 196.02 (12), stats., authorizes the PSC to confer with or participate in any proceedings before any regulatory agency of any other state or of the federal government.

SECTION 3. 196.497 (6) of the statutes is amended to read:

2933rk  
196.497 (6) MONITOR FEDERAL ACTIVITY. The commission shall monitor activity in congress and the federal government related to the centralized interim storage or long-term disposal of high-level radioactive waste and transuranic waste. The commission may advise the congressional delegation from this state of action which is needed to protect the interests of the state.

2933ro  
SECTION 4. 196.497 (14) (title) of the statutes is repealed and recreated to read:

196.497 (14) (title) COOPERATION.

2933rs  
SECTION 5. 196.497 (14) of the statutes is renumbered 196.497 (14) (a).

2933rw  
SECTION 6. 196.497 (14) (a) (title) of the statutes is created to read:

196.497 (14) (a) (title) *State agencies.*

2933ry  
SECTION 7. 196.497 (14) (b) of the statutes is created to read:

196.497 (14) (b) *Facility owners and operators.* The owner or operator of a nuclear power plant shall assist the commission to the fullest extent possible and shall provide any data or other information required by the commission in fulfilling its duties under this section. In this paragraph, "nuclear power plant" means a nuclear-powered electric generating facility, and includes a facility that is no longer used to generate electricity.

(END)



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBb0687/1  
MDK:kjf&wlj:rs

LFB:.....Olin (FA) – Public Service Commission duties regarding storage of  
nuclear waste

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**ASSEMBLY AMENDMENT ,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2007 SENATE BILL 40**

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 1279, line 20: after that line insert:
- 3 **"SECTION 2933rb.** 196.497 (3) of the statutes is renumbered 196.497 (3) (a) and
- 4 amended to read:
- 5 196.497 (3) (a) The commission shall serve as an advocate on behalf of the
- 6 citizens of this state before the federal department of energy and other federal
- 7 agencies on matters related to the centralized interim storage or long-term disposal
- 8 of high-level radioactive waste and transuranic waste, including any license
- 9 application submitted to the nuclear regulatory commission for a license to operate

1 a federal repository for the long-term disposal of high-level radioactive waste and  
2 transuranic waste.

3 **SECTION 2933rf.** 196.497 (3) (b) of the statutes is created to read:

4 196.497 (3) (b) The commission's advocacy under par. (a) may take the form of  
5 participation under s. 196.02 (12), a request to the attorney general to intervene  
6 under sub. (7), participation in the intervention or advocacy of other states or of an  
7 interstate organization, or any other form of advocacy the commission determines is  
8 appropriate.

9 **SECTION 2933rk.** 196.497 (6) of the statutes is amended to read:

10 196.497 (6) MONITOR FEDERAL ACTIVITY. The commission shall monitor activity  
11 in congress and the federal government related to the centralized interim storage or  
12 long-term disposal of high-level radioactive waste and transuranic waste. The  
13 commission may advise the congressional delegation from this state of action which  
14 is needed to protect the interests of the state.

15 **SECTION 2933ro.** 196.497 (14) (title) of the statutes is repealed and recreated  
16 to read:

17 196.497 (14) (title) COOPERATION.

18 **SECTION 2933rs.** 196.497 (14) of the statutes is renumbered 196.497 (14) (a).

19 **SECTION 2933rw.** 196.497 (14) (a) (title) of the statutes is created to read:

20 196.497 (14) (a) (title) *State agencies.*

21 **SECTION 2933ry.** 196.497 (14) (b) of the statutes is created to read:

22 196.497 (14) (b) *Facility owners and operators.* The owner or operator of a  
23 nuclear power plant shall assist the commission to the fullest extent possible and  
24 shall provide any data or other information required by the commission in fulfilling  
25 its duties under this section. In this paragraph, "nuclear power plant" means a

1 nuclear-powered electric generating facility, and includes a facility that is no longer  
2 used to generate electricity.”.

3 (END)